

REMARKS

I. Status

Claims 1-8 are pending in the application. Claim 1 is currently amended to make certain corrections and for greater clarity. In particular, claim 1 is amended in part: (i) to correct an error of a typographical nature; and (ii) delete a duplicative R⁵ group, both of which were originally presented unintentionally and in good faith. Dependent claim 5 is currently amended to correspond with amended claim 1. No new matter is being presented by the current amendments. Further, the nature of the current amendments neither warrants nor necessitates a new search. Rather, the current amendments place all pending claims in better condition for allowance.

At the outset, Applicants thank Examiner Coleman for her time and guidance in discussing the sole outstanding rejection during a telephonic interview with Applicants' Attorney. The substance of the interview is readily apparent from the present remarks. While an agreement was not reached during the telephonic interview, the Examiner's assistance in clarifying the sole outstanding rejection discussed below is greatly appreciated.

II. Claims 1-8 Are Enabled by the Specification and Are Allowable

Claims 1-8 stand rejected under 35 U.S.C. § 112, ¶1 with regard to enablement. Applicants respectfully traverse the rejection.

At page 2 of the Office Action, the Examiner asserts that the specification does not enable claim 1 as previously presented insofar as, in the Examiner's opinion, the compounds defined by previously presented claim 1 are not taught by the specification. Applicants respectfully traverse the rejection because those of skill in the art given the benefit of the present disclosure would

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certainly know how to make and use the compounds defined by claim 1 as immediately previously presented. That is, those of skill in the art given the benefit of the present disclosure would appreciate that the currently elected group where the ring formed is 3,8-diaza-bicyclo[3.2.1]oct-8-yl corresponds with previously presented claim 1. Applicants also respectfully disagree with the present rejection for reasons previously made of record, which are incorporated here by reference, notably pages 14-16 of Applicants' Amendment and Response dated November 30, 2004.

Nevertheless, the formula of claim 1 is currently amended solely for the Examiner's convenience and to further the prosecution of the present application to explicitly draw the elected group where the ring formed is 3,8-diaza-bicyclo[3.2.1]oct-8-yl. That is, formula I of currently amended claim 1 corresponds with Applicants' previously presented general formula, wherein k is 2, l is 0, m is 0, and W is N. As such, the current amendment to the formula of claim 1 is neither a limiting nor a broadening amendment. Thus, no new matter is being presented by the current amendment.

Applicants sincerely believe, and the Examiner appears to agree, that the specification, and in particular the examples, adequately enables those of skill in the art how to make and use the claimed 3,8-diaza-bicyclo[3.2.1]oct-8-yl ring compounds. Thus, removal of the present rejection is appropriate at this time.

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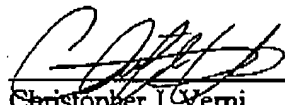
III. Conclusion

Having addressed all outstanding issues, Applicants kindly request removal of the sole remaining rejection and allowance of all pending claims at this time. To the extent the Examiner believes that it would facilitate allowance of this case, the Examiner is urged to call the undersigned at the number below.

The Commissioner is hereby authorized by this paper to charge any required fees or credit any overpayment to Deposit Account 16-1445. In particular, the Commissioner is hereby authorized by this paper to charge the fee under 37 C.F.R. § 1.17(e), as required by the Request for Continued Examination filed herewith.

Respectfully submitted,

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